

The Regulations of Connecticut State Agencies are amended by adding section 22a-153-6, as follows:

(NEW)

Sec. 22a-153-6. Notices, instructions and reports to workers; consultations with workers during and requests by workers for inspection.

(a) Posting of notices to workers.

- (1) Each licensee or registrant shall post current copies of the following documents:
 - (A) Sections 22a-153-1 through 22a-153-2 of the Regulations of Connecticut State Agencies;
 - (B) The license or certificate of registration, as may be amended from time to time, and any conditions or documents incorporated by reference into such license or registration
 - (C) The operating procedures applicable to activities under the license or registration; and
 - (D) Any notice of violation involving radiological working conditions, proposed imposition of civil penalty, or order issued, by the Commissioner and any response from the licensee or registrant.
 - (2) As an alternative to posting of a document specified subsection (a)(1) of this section, the licensee or registrant may post a notice that describes the document and states where at the facility it may be examined.
 - (3) **[Agency Form X]** "Notice to Employees" shall be posted by each licensee or registrant as required by this section.
 - (4) Documents received from the Department posted pursuant to subsection (a)(1)(D) of this section shall be posted within five working days after receipt of the documents. The licensee's or registrant's response, if any, shall be posted within five working days after dispatch from the licensee or registrant. Such documents shall remain posted for a minimum of five working days or until action correcting the violation has been completed, whichever is later.
 - (5) Documents, notices, or forms posted pursuant to this subsection shall appear in a sufficient number of places to permit individuals engaged in work under the license or registration to have access to them on the way to or from any particular work location to which the document applies, shall be conspicuous and shall be replaced if defaced or altered.
- (b)** Each registrant shall provide for the following instructions to individuals engaged in activities related to a registration or license for a source of ionizing radiation:

- (1) Each individual likely to receive an occupational dose:
 - (A) Shall be kept informed of the storage, transfer or use of sources of radiation in the workplace,
 - (B) Shall be instructed in the health protection problems associated with exposure to radiation or radioactive material to the individual and potential offspring, in precautions or procedures to minimize exposure and in the purposes and functions of protective devices employed,
 - (C) Shall be instructed in, and instructed to observe, to the extent within the worker's control, the applicable provisions of the Commissioner's regulations and licenses for the protection of personnel from exposures to radiation or radioactive material,
 - (D) Shall be instructed of his responsibility to report promptly to the licensee or registrant any condition that may constitute, lead to or cause a violation of the Commissioner's regulations or license condition, or any unnecessary exposure to radiation or radioactive material,
 - (E) Shall be instructed in the appropriate response to warnings made in the event of any unusual occurrence or malfunction that may involve exposure to radiation or radioactive material, and
 - (F) Shall be advised as to the radiation exposure reports which workers shall be furnished pursuant to subsection (c) of this section; and
- (2) The extent of instruction shall be commensurate with potential radiological health protection problems present in the workplace.
- (c) Each registrant shall provide the following notifications and reports to individuals engaged in activities related to a registration or license for a source of ionizing radiation:
 - (1) Radiation exposure data for the individual and the results of any measurements, analyses and calculations of radioactive material deposited or retained in the body of that individual shall be reported to the individual as specified in this subsection. The information reported shall include data and results obtained pursuant to the Commissioner's regulations, orders or license conditions, as shown in records maintained by the licensee or registrant pursuant to section 22a-153-2(n)(7) of the Regulations of Connecticut State Agencies. Each notification and report shall:
 - (A) Be in writing,
 - (B) Include appropriate identifying data including the name of the licensee or registrant, the name of the individual and the individual's identification number, preferably social security number,

- (C) Include the individual's exposure information, and
- (D) Contain the following statement:

"This report is furnished to you under the provisions section 22a-153-6 of the Regulations of Connecticut State Agencies. You should preserve this report for further reference";

- (2) Each licensee or registrant shall furnish to each worker annually a written report of the worker's dose as shown in records maintained by the licensee or registrant pursuant to section 22a-153-2(n)(7) of the Regulations of Connecticut State Agencies;
- (3) Each licensee or registrant shall furnish a written report of the worker's exposure to sources of radiation at the request of a worker formerly engaged in activities controlled by the licensee or registrant. The report shall include the dose record for each year the worker was required to be monitored pursuant to section 22a-153-2(h)(2) of the Regulations of Connecticut State Agencies. Such report shall be furnished within 30 days from the date of the request, or within 30 days after the dose of the individual has been determined by the licensee or registrant, whichever is later. The report shall cover the period of time that the worker's activities involved exposure to sources of radiation and shall include the dates and locations of work under the license or registration in which the worker participated during this period;
- (4) When a licensee or registrant is required pursuant to section 22a-153-2(o)(2), (o)(3) or (o)(4) of the Regulations of Connecticut State Agencies to report to the Commissioner any exposure of an individual to sources of radiation, the licensee or the registrant shall also provide the individual a written report on the exposure data included therein. Such reports shall be transmitted at a time not later than the transmittal to the Commissioner; and
- (5) At the request of a worker who is terminating employment with the licensee or registrant in work involving exposure to radiation or radioactive material, during the current year, each licensee or registrant shall provide at termination to each such worker, or to the worker's designee, a written report regarding the radiation dose received by that worker from operations of the licensee or registrant during the current year or fraction thereof. If the most recent individual monitoring results are not available at that time, a written estimate of the dose shall be provided together with a clear indication that this is an estimate.

(d) Representatives of licensees or registrants and workers during inspection.

- (1) Each licensee or registrant shall afford to the Agency at all reasonable times opportunity to inspect materials, machines, activities, facilities, premises, and records pursuant to these regulations.
- (2) During an inspection, the Commissioner's inspectors may consult privately with workers as specified in subsection (e) of this section. The licensee or registrant may accompany the Commissioner's inspectors during other phases of an inspection.

(3) If, at the time of inspection, an individual has been authorized by the workers to represent them during the Commissioner's inspections, the licensee or registrant shall notify the inspectors of such authorization and shall give the workers' representative an opportunity to accompany the inspectors during the inspection of physical working conditions.

(4) Each workers' representative shall be routinely engaged in work under control of the licensee or registrant and shall have received instructions as specified in subsection (b) of this section.

(5) Different representatives of licensees or registrants and workers may accompany the inspectors during different phases of an inspection if there is no resulting interference with the conduct of the inspection. However, only one workers' representative at a time may accompany the inspectors.

(6) With the approval of the licensee or registrant and the workers' representative, an individual who is not routinely engaged in work under control of the licensee or registrant, for example, a consultant to the licensee or registrant or to the workers' representative, shall be afforded the opportunity to accompany the Commissioner's inspectors during the inspection of physical working conditions.

(7) Notwithstanding the other provisions of this subsection, the Commissioner's inspectors are authorized to refuse to permit accompaniment by any individual who deliberately interferes with a fair and orderly inspection. With regard to areas containing information classified by a federal agency as in the interest of national security, an individual who accompanies an inspector may have access to such information only if authorized. With regard to any area containing proprietary information, the workers' representative for that area shall be an individual previously authorized by the licensee or registrant to enter that area.

(e) Consultation with workers during inspections.

(1) The Commissioner's inspectors may consult privately with workers concerning matters of occupational radiation protection and other matters related to applicable provisions of these regulations and licenses to the extent the inspectors deem necessary for the conduct of an effective and thorough inspection.

(2) During the course of an inspection, any worker may bring privately to the attention of the inspectors, either orally or in writing, any past or present condition that the worker has reason to believe may have contributed to or caused any violation of the Commissioner's regulations, a license condition or any unnecessary exposure of an individual to sources of radiation under the licensee's or registrant's control. Any such notice in writing shall comply with the requirements of subsection (f)(1) of this section.

(3) The provisions of subsection (e)(2) of this section shall not be interpreted as authorization to disregard instructions pursuant to subsection (b) of this section.

(f) Requests by workers for inspections.

- (1) Any worker or representative of workers believing that a violation of the Commissioner's regulations or license conditions exists or has occurred in work under a license or registration with regard to radiological working conditions in which the worker is engaged may request an inspection by giving notice of the alleged violation to the Department of Environmental Protection, Division of Radiation. Any such notice shall be in writing, shall set forth the specific grounds for the notice and shall be signed by the worker or representative of the workers. A copy shall be provided to the licensee or registrant by the Department of Environmental Protection, Division of Radiation no later than at the time of inspection except that, upon the request of the worker giving such notice, such worker's name and the name of individuals referred to therein shall not appear in such copy or on any record published, released or made available by the Commissioner, except for good cause shown.
- (2) If, upon receipt of such notice, the Department of Environmental Protection, Division of Radiation determines that the complaint meets the requirements set forth in subsection (f)(1) of this section, and that there are reasonable grounds to believe that the alleged violation exists or has occurred, an inspection shall be made as soon as practicable to determine if such alleged violation exists or has occurred. Inspections pursuant to this subsection need not be limited to matters referred to in the complaint.
- (3) No licensee, registrant or contractor or subcontractor of a licensee or registrant shall discharge or in any manner discriminate against any worker because such worker has filed any complaint or instituted or caused to be instituted any proceeding under these regulations or has testified or is about to testify in any such proceeding or because of the exercise by such worker on behalf of such worker or others of any option afforded by this section.

Statement of purpose: This section establishes requirements for notices, instructions and reports by registrants or licensees of sources of radiation to individuals engaged in activities under license or registration. The section also includes options available to individuals engaged in activities under license or registration in connection with the Commissioner's inspections to ascertain compliance with the Department's regulations, permits and orders regarding working conditions related to sources of radiation.